

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RICHARD F. WHITE, JR.,	:	
	:	C.A. NO: 05-53 GMS
Plaintiff,	:	
	:	DEMAND FOR JURY TRIAL
v.	:	
FEDERAL EXPRESS CORPORATION,	:	
	:	
Defendant.	:	

**DEFENDANT'S RESPONSE TO PLAINTIFF'S
REQUEST FOR PRODUCTION**

1. Copies of all photographs, sketches, diagrams, or other drawings taken by or prepared by you or on your behalf, in your possession or available to you concerning any aspect of the litigation.

RESPONSE: All photographs in the Defendant's possession are attached hereto.

2. Copies of all reports of investigation, findings of fact, observation of facts of circumstances, or any other matter relating to any aspect of the litigation.

RESPONSE: Objection as this request violates the attorney/client and attorney work product privileges and exceeds the scope of Federal Rule of Civil Procedure 26(b). Notwithstanding the objection, but subject to it, all non-privileged documents have previously been produced or are being produced herewith as attachments to the Defendant's Answers to Plaintiff's Interrogatories.

3. Copies of any reports by any persons qualifying as an expert containing

opinions and/or facts on which opinions are based concerning any aspect of the litigation.

RESPONSE: Objection as this request violates the attorney work product privilege.

**Notwithstanding the objection, but subject to it, the Defendant has
not retained an expert to testify on its behalf at the trial of this action,
but reserves the right to retain an expert or experts in the future.**

4. Copies of any and all writings in your possession or available to you identified or referred to in any way in your answers to Defendant's Form 30 Interrogatories.

**RESPONSE: Objection as this request may violate the attorney/client and/or the
attorney work product privilege and exceeds the scope of Federal
Rule of Civil Procedure 26(b). Notwithstanding the objection, but
subject to it, all such documents have previously been produced or are
being produced herewith or will be in compliance with the Scheduling
Order and the Federal Rules of Civil Procedure.**

5. Copies of any and all writings in your possession or available to you in addition to the items specified in previous sections of this Request for Production which pertain in any way to the issues raised by the pleadings herein.

**RESPONSE: Objection as this request may violate the attorney/client and/or the
attorney work product privilege and exceeds the scope of Federal
Rule of Civil Procedure 26(b). Notwithstanding the objection, but
subject to it, all such documents have previously been produced or are
being produced herewith or will be in compliance with the Scheduling
Order and the Federal Rules of Civil Procedure.**

6. Copies of any and all writings which you intend to rely upon in any way at

trial.

RESPONSE: Objection as this request may violate the attorney/client and/or the attorney work product privilege and exceeds the scope of Federal Rule of Civil Procedure 26(b). Notwithstanding the objection, but subject to it, all such documents have previously been produced or are being produced herewith or will be in compliance with the Scheduling Order and the Federal Rules of Civil Procedure.

7. Copies of any and all insurance policy information pertaining to the vehicle and any other written documents in your possession or in the possession of your agents or insurance carrier on your behalf relating in any way to the accident or the possession control or operation of your vehicle at the time of the accident.

RESPONSE: See the Defendant's Initial Disclosure No. 4.

8. All documents or matters in writing referred to in your answers to any defendant's interrogatories.

RESPONSE: Objection as this request may violate the attorney/client and/or the attorney work product privilege and exceeds the scope of Federal Rule of Civil Procedure 26(b). Notwithstanding the objection, but subject to it, all such documents have previously been produced or are being produced herewith or will be in compliance with the Scheduling Order and the Federal Rules of Civil Procedure.

TYBOUT, REDFEARN & PELL

/s/ David G. Culley

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